

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: November 30, 2022 (Time: 4 hours, 52 mins) JUDGE: Yvonne Gonzalez Rogers

Case No: CR-21-00429-YGR

Case Name: UNITED STATES v. RAY J. GARCIA

Attorney for Plaintiff: Andrew Paulson; Molly Priedeman

Attorney for Defendant: James Reilly

Deputy Clerk: Kelly Collins

Court Reporter: Pamela Batalo Hebel

PROCEEDINGS

Jury Trial, Day 3 - HELD.

(See Attached Trial Log)

CASE CONTINUED TO: December 1, 2022, at 8:00 a.m. for Further Jury Trial.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: 21-cr-00429-YGR-1Case Name: USAv. Garcia

TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEY:	DEFENSE ATTORNEY:
Yvonne Gonzalez Rogers	Andrew Paulson; Molly Priedeman	James Reilly
TRIAL DATE:	REPORTER(S):	CLERK:
November 30, 2022	Pamela Batalo Hebel	Kelly Collins

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
					<u>Wednesday, November 30, 2022</u>	
		7:58 a.m.			Court is in session; Discussion with counsel outside the presence of the jury.	
		8:11 a.m.			Court is in recess.	
		8:16 a.m.			Court is in session. Further discussion with counsel outside the presence of the jury.	
		8:19 a.m.			Court is in recess.	
		8:27 a.m.			Court is in session.	
		8:30 a.m.			Jury is present.	
		8:31 a.m.			Government calls its fifth witness Shindozjanae Smith . Witness is sworn and testified under direct examination by Andrew Paulson.	
		8:42 a.m.			Cross examination of witness Shindozjanae by James Reilly	
		9:09 a.m.			Redirect examination of witness Shindozjanae by Andrew Paulson.	
		9:10 a.m.			Witness Shindozjanae is excused.	
		9:11 a.m.			Government calls its sixth witness Cynthia Townsend .	
		9:12 a.m.			Witness is sworn and testified on direct examination by Molly Priedeman.	
		9:20 a.m.			Cross examination of witness Townsend by James Reilly.	
		9:36 a.m.			Witness Townsend excused.	
		9:37 a.m.			Government calls its seventh witness Rachel .	
		9:39 a.m.			Witness is sworn and testified under direct examination by Molly Priedeman.	
200		11/30/2022	X	X	Inmate Photo – Victim 3	
227		11/30/2022	X	X	CMC Shop 1	
228		11/30/2022	X	X	CMC Shop 2	
229		11/30/2022	X	X	CMC Shop 3	

Case No: [21-cr-00429-YGR-1](#)
 Case Name: [USA v. Garcia](#)

EXHIBIT and WITNESS LIST CONTINUED

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
		9:59 a.m.			Jury is in recess.	
		10:00 a.m.			Court is in recess.	
		10:11 a.m.			Court is in session.	
		10:11 a.m.			Witness is sworn under seal.	
		10:13 a.m.			Court is in recess.	
		10:19 a.m.			Court is in session.	
		10:22 a.m.			Jury is present.	
		10:22 a.m.			Direct examination of witness Rachel by Molly Priedeman continues.	
65		11/30/2022	X	X	Photo of Victim 3	
67		11/30/2022	X	X	Photo of Victim 3	
83		11/30/2022	X	X	Photo of Victim 3	
		10:43 a.m.			Cross examination of witness Rachel by James Reilly.	
		11:24 a.m.			Witness is excused subject to recall.	
		11:24 a.m.			Government calls its eighth witness Dr. Meagan Malespini .	
		11:25 a.m.			Discussion with jurors regarding jury questions for witnesses.	
		11:26 a.m.			Witness is sworn and testified under direct examination by Andrew Paulson.	
346		11/30/2022	X	X	Excerpts of Sexually Abusive Behavior Prevention and Intervention Program – Annual Training 2020	
201		11/30/2022	X	X	Employee Training Report: Any Time (R. Garcia)	
		11:51 a.m.			Jury is in recess.	
		11:52 a.m.			Discussion with counsel regarding jury question outside the presence of the jury.	
		11:54 a.m.			Court is in recess.	
		12:10 p.m.			Court is in session.	
		12:11 p.m.			Jury is present.	
		12:11 p.m.			Direct examination of witness Dr. Malespini continues.	
		12:17 p.m.			Cross examination of witness Dr. Malespini by James Reilly.	
		12:32 p.m.			Redirect of witness Dr. Malespini by Andrew Paulson.	

Case No: [21-cr-00429-YGR-1](#)Case Name: USA v. Garcia**EXHIBIT and WITNESS LIST CONTINUED**

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
		12:33 p.m.			Andrew Paulson reads factual stipulations #3, 4, and 8 into the record.	
		12:36 p.m.			Government calls its ninth witness Monica .	
		12:37 p.m.			Witness is sworn.	
		12:37 p.m.			Court instructs the jury as to testimony of witness Monica .	
		12:40 p.m.			Direct examination of witness Monica by Molly Priedeman begins. Witness pleads the 5 th .	
		12:41 p.m.			Jury is in recess.	
		12:41 p.m.			Court appoints Steve Kalar to represent witness Monica . Witness is excused to meet with appointed counsel.	
		12:42 p.m.			Jury is present.	
		12:42 p.m.			Government calls its tenth witness Christina .	
		12:43 p.m.			Witness is sworn.	
		12:44 p.m.			Court instructs the jury regarding testimony of witness Christina .	
		12:46 p.m.			Direct examination of witness Christina by Andrew Paulson.	
224		11/30/2022	X	X	Photo of C.V.	
6		11/30/2022	X	X	Crochet Bikini	
125		11/30/2022	X	X	Photo of Crochet Bikini	
		1:04 p.m.			Cross examination of witness Christina by James Reilly.	
		1:13 p.m.			Witness is excused.	
		1:14 p.m.			Sidebar.	
		1:15 p.m.			Sidebar ends.	
		1:17 p.m.			Jury is admonished and released for the day.	
		1:18 p.m.			Discussion with appointed counsel Steve Kalar and trial counsel regarding testimony of witness Monica .	
		1:19 p.m.			Discussion with AFPD Jane Imholte, counsel for witness Rachel , and trial counsel regarding testimony. AFPD Imholte requests her client not be subject to recall. Court GRANTS counsel's request as stated on the record, witness Rachel is excused from recall testimony.	
		1:36 p.m.			Court is adjourned until Thursday, December 1, 2022, at 8:00 a.m.	